

# **EXHIBIT 1**

Contains Highly Confidential AEO and Source Code Materials

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

GOOGLE LLC,

Plaintiff

v.

SONOS, INC.,

Defendant.

CASE NO. 3:20-cv-06754-WHA  
Related to CASE NO. 3:21-cv-07559-WHA

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**OPENING EXPERT REPORT OF DR. DAN SCHONFELD REGARDING U.S. PATENT  
NO. 10,848,885 AND U.S. PATENT NO. 10,469,966**

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(“Sonos System”) allowed a user to select any Zone Player to link within a group, even though that Zone Player was already a member of the “Party Mode” zone scene. Further, as I explained above in relation to the Court’s construction of “zone scene,” at least the Sonos 2005 System, Sonos Forums and/or Nourse rendered obvious the ability to have one speaker in two zone scenes at the same time, as did the Logitech System in combination with Nourse.

108. I understand the Court also found that the specification *does* disclose “that an individual smart speaker that has been added to a speaker group will continue to operate individually – *i.e.*, in ‘standalone mode’ – until the speaker group of which it is a member is activated by the user, at which point the individual speaker will transition to be controlled as part of the group.” Dkt. 309 at 15. I further understand that with respect to the term “standalone mode,” it is sufficient for the specification to disclose “that the process of forming a zone scene occurs in a specific order,” where the scene is saved and “invoke[d]” later, regardless of the particular behavior of the zone player after the zone scene has been saved and before it has been invoked. I understand that this discloses that zone players can play “synchronously” if grouped together, or “individually if the players are disassociated with each other.” Dkt. 30 at 16. As I explained above, in relation to the Court’s construction of “zone scene,” at least the Sonos 2005 System, Sonos Forums and/or Nourse rendered the ability to have a player continue playing in standalone mode obvious, as did the Logitech System in combination with Nourse.

109. The Court’s findings with respect to written description provide additional support for my invalidity opinions. This is because the extent to which a feature must be described and disclosed in the ’885 and ’966 patents also informs the extent to which a feature must be described and disclosed in the prior art to anticipate and/or render the claim obvious.

110. With respect to the claim requirement that zone players may be joined to multiple “zone scenes,” the Court’s Order noted that in relation to Fig. 5B, reproduced below, it is sufficient

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### ***ZonePlayer(s) software updates***

If a ZonePlayer's software version gets out of sync from the rest of your Sonos Digital Music System components, you will see the following message displayed on your **Zones** menu:



*One or more ZonePlayers may need to be updated if you purchase a new ZonePlayer with a later software version, or if you plug in a ZonePlayer that was not in use when you performed your last software update.*

*You will also see this message if you have already updated your music system using the Controller. This message will indicate that the Desktop Controller software needs to be updated.*

Touch **OK** to begin the software update process.

Lambourne Dep. Ex. 1078 at 22-23.

285. Further, the source code reveals that this claim limitation is disclosed. Zone Player software, including the Linux kernel and the main Zone Player application (anacapad), are stored in a cramfs filesystem on flash memory. *See, e.g.:*

11. motfiles target, V1.2\v1.2-gold\rootfs\Makefile, 24–29 at 26–27
12. motfiles-NOR target, V1.2\v1.2-gold\rootfs\Makefile.sub, 50–64
13. motfiles-NAND target, V1.2\v1.2-gold\rootfs\Makefile.sub, 66–80
14. install target, V1.2\v1.2-gold\rootfs\Makefile.sub, 82–98 at 84
15. \$(ARCH)/opt/bin/anacapad target, V1.2\v1.2-gold\rootfs\Makefile.sub, 240–312 at 257–261
16. root.cram.\$(ARCH).\$(RINCON\_VERSTRING), V1.2\v1.2-gold\rootfs\Makefile.sub, 622–633 at 630–631
17. V1.2\v1.2-gold\oc\zp\Makefile, 62–166

286. I understand that Sonos does not dispute that the Sonos System discloses this claim limitation. Specifically, I understand that Google served an interrogatory requesting Sonos's

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I, Dan Schonfeld, declare under penalty of perjury under the laws of the United States that  
the foregoing is true and correct.

A handwritten signature in black ink that reads "Dan Schonfeld". The signature is fluid and cursive, with "Dan" on the left and "Schonfeld" on the right, ending with a large, open loop.

DATED: November 30, 2022

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Dan Schonfeld, Ph.D